

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SCOTT DECKER,

Plaintiff,

-against-

LONG ISLAND RAILROAD,

Defendant.

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ORDER

CV 09-4924 (JFB)(ARL)

LINDSAY, Magistrate Judge:

By order dated April 12, 2011, the court granted the plaintiff's motion to compel the defendant LIRR to respond to his First Set of Interrogatories and Request for the Production of Documents, which had been served on July 1, 2010. By letter dated May 20, 2011, the plaintiff has advised the court that, to date, the LIRR has still not responded. In addition, the LIRR has once again failed to respond to the letter application. The court will give the LIRR one final opportunity to respond by June 10, 2011. Failure to do so may, upon application, result in a recommendation that the defendant's answer be stricken.

Given the defendant's failure to comply with the court's order, the court must also extend the discovery deadline. All discovery, inclusive of expert discovery, is to be completed by July 1, 2011. Any party planning on making a dispositive motion shall take the first step in the motion process by July 15, 2011. The final conference will still take place on August 2, 2011 at 11:00 a.m. The parties are directed to electronically file the proposed joint pretrial order prior to the final conference.

Dated: Central Islip, New York
May 31, 2011

SO ORDERED:

_____/s/_____
ARLENE ROSARIO LINDSAY
United States Magistrate Judge